Attorney Docket No.: RSM013001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ant: Omura et al. Art Unit: 2661

Serial No.: 10/003,128 Examiner:

Filed: 11/14/2001 Conf. No.: 5299

Title : ROBUST DATA TRANSMISSION USING BROADCAST DIGITAL RECEIVED

TELEVISION SIGNALS

APR 2 3 2003

Commissioner for Patents Washington, D.C. 20231

Technology Center 2600

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97-98

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is a modified form PTO-1449 listing documents for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of documents, or that inclusion of a document in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months from the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

Richard A. Dunning, Jr.

Typed or Printed Name of Person Signing Certificate

Applicant: Omura Attorney's Docket No.: RSM013001 Serial No.: 10/003,128 : 11/14/2001 Filed

Page: 2

attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR Applicant certifies pursuant to 37 CFR § 1.97(e) that: each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and: Applicant certifies pursuant to 37 CFR. § 1.97(e) that: each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND attached hereto is the fee set forth under 37 CFR § 1.17 (p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO. This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. __/___, filed on ______, and the documents cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

Applicant: Omura

Serial No.: 10/003,128

Attorney's Docket No.: RSM013001

Filed : 11/14/2001 Page: 3

Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed documents and favorable action are respectfully requested.

343 Soquel Avenue, Suite 311

Santa Cruz, CA 95062

Telephone: 831.420.0561 Facsimile: 413.541.0092 Respectfully submitted,

Richard A. Dunning, Jr.

Attorney/Agent for Applicant(s)

Reg. No. 42502

type a plus sign (+) inside this box APR 2 1 2003 RANSMITTAL

FORM

(to be used for all correspondence after initial filing)

PTO/SB/21 (08-00)

5299

Approved for use through 10/31/2002. OMB 0651-0031

10/003,128

11/14/2001

Omura

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE der the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Filing Date

Application Number &

Confirmation Number

First Named Inventor

			Group Art Unit	2	2661 APR & 3 200	,J	
			Examiner Name		Technology Center 2600		
Total Number of Pages in This Submission			Attorney Docket Num	ber F	RSM013001		
ENCLOSURES (check all that apply)							
Fee Transmi	ttal Form	Assign	ment Papers		After Allowance Communicat	ion	
Fee A	ttached	(for an Application) Drawing(s)			Appeal Communication to Boa Appeals and Interferences	ard of	
Amendment	/ Reply	Licensi	ng-related Papers		Appeal Communication to Gro (Appeal Notice, Brief, Reply Brief)	oup	
After F	inal	Petition			Proprietary Information		
Affida	vits/declaration(s)	Provision	to Convert to a onal Application		Status Letter		
Extension of	Time Request	Power of Change Addres	of Attorney, Revocation of Correspondence	X	Other Enclosure(s) (please identify below):		
Express Aba	ndonment Request		al Disclaimer	Copie	es of Cited Documents, Postca	ard	
Information Disclosure Statement		Reque	st for Refund				
Certified Cop Document(s)	y of Priority	CD, NL	imber of CD(s)				
Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53		Remarks					
	SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm or Individual name							
Signature	Mala	ull					
Date	4/16/	103					
CERTIFICATE OF MAILING							
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:							
Type or printed name	e Richard A. Dun	ning, Jr.	-	· ·	" / /		
Signature		0		Date	4/16/02		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time your are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR

COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE nder the Paperwork Reduction Act of 1995, no persons are required to re-

stitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

Complete if Known				
Appl. No. & Conf. No.	10/003,128	5299		
Filing Date	11/14/2001			
First Named Inventor	Omura et al.			
Group Art Unit	2661			
Examiner Name				
Attorney Docket Number	RSM013001			

		·		U.S. PATENT DOCUMEN	TS	
Examiner Cite No.¹ U.S. Patent Document Kind Code² Number (if known)		Name of Patentee or Applicant of Cited Document		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	A	US2002/0090997	A1	Bailey	07-11-2002	
	В	US2002/0144294	A1	Rabinowitz et al.	10-03-2002	
	С	US2002/0172313	A1	Smith et al.	11-21-2002	
	D	US 6,487,500	B2	Lemelson et al.	11-26-2002	
						RECEIVED
						APR 2 3 2003
						Technology Center 2600
	-					
	 					
	~-					

FOREIGN PATENT DOCUMENTS								
i i i i i i i i i i i i i i i i i i i	Foreign Patent Document				Date of Publication of	Pages, Columns, Lines,	Τ.	
Examiner Initials*	Cite No. ¹	Office ³	Number ⁴	Kind Code ⁵ (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	
								⊥_
				1				Т
								T
			***		-			Τ
								1
				<u> </u>				\top
	+-							+-

Examiner	Date	,
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.